

August 9, 2012

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

RE: Notice of *Ex Parte* presentation in: MB Docket No. 10-56
MB Docket No. 12-203

Dear Ms. Dortch:

On behalf of Public Knowledge, this letter is to provide information relating to discussions between Public Knowledge (PK) and members of the Commission's staff at a series of meetings on August 7 and 8, 2012.

Michael Weinberg of Public Knowledge was present at all meetings. The individual meetings consisted of:

Michael Steffen, Office of Chairman Genachowski and Daniel Kirschner, Office of the General Counsel

Holly Saurer, Office of Commissioner Rosenworcel

Dave Grimaldi, Office of Commissioner Clyburn

Nicholas Degani, Office of Commissioner Pai

Erin McGrath, Office of Commissioner McDowell.

PK reviewed the contents of, and urged the Commission to act promptly on, its petition filed in this docket on August 1, 2012. PK pointed out that Comcast's actions constitute unfair practices that hinder significantly or prevent any MVPD or OVD from providing video programming online to subscribers or customers, and where therefore in direct violation of Condition G.1.a.

PK also noted that, while not directly connected to the petition, data caps were increasingly having a negative impact on consumers and the growth of many online video services, including online video. As a result, the Commission should hold up data caps that negatively impact services that compete with those offered by ISPs to a high level of scrutiny.

Finally, PK recognized that the activity identified in the petition could also be viewed in the larger context of the future of online video and MVPDs. However, PK pointed out that the issue raised in the petition was specific to the conditions and this docket, and did not require a full

resolution of larger future of video policy questions. To the extent the Commission is considering those questions PK suggested its whitepaper *Tomorrowvision*.¹

In accordance with the FCC's *ex parte* rules, this document is being electronically filed in the above-referenced dockets today.

Sincerely,

/s/

Michael Weinberg
Vice President, Institute for Emerging Innovation
Public Knowledge

CC: Michael Steffen
Daniel Kirschner
Holly Saurer
Dave Grimaldi
Nicholas Degani
Erin McGrath

¹ Attached, and available at <http://www.publicknowledge.org/Tomorrowvision>.